

DOA  
08/20/2024UNITED STATES DISTRICT COURT  
for the District of Arizona

United States of America

v.

Thomas Cain Alvarez,  
Gregory Jerold Rhinehart,  
U.S. Citizens

Case No. 24-6267MJ

*Defendant(s)***CRIMINAL COMPLAINT**

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

Beginning on an unknown date and continuing through on or about August 20, 2024, in the District of Arizona, the defendants, Thomas Cain Alvarez and Gregory Jerold Rhinehart, did knowingly and willfully combine, conspire, confederate, and agree with persons known and unknown, to conceal, harbor, and shield from detection aliens who had come to, entered, and remained in the United States in violation of law, in any place, including any building and by means of transportation, in violation of Title 8, United States Code, Section 1324(a)(1)(A)(iii).

All in violation of Title 8, United States Code, Sections 1324(a)(1)(A)(v)(I) and (a)(1)(B)(i).

This criminal complaint is based on these facts:

See attached Statement of Probable Cause, incorporated by reference herein.

☒ Continued on the attached sheet.

Reviewed by AUSA Matthew D. Doyle

*MD*RAYMOND A  
YOCUPICIO III

Digitally signed by RAYMOND A  
YOCUPICIO III  
Date: 2024.08.21 17:00:14 -07'00'

*Complainant's signature*

Border Patrol Agent-Intelligence Raymond Yocupicio

*Printed name and title*

Sworn to before me telephonically and subscribed electronically.

Date: August 21, 2024 @5:22pm

*al**Judge's signature*

City and state: Phoenix, Arizona

Honorable Alison S. Bachus, U.S. Magistrate Judge

*Printed name and title*

**STATEMENT OF PROBABLE CAUSE**

I, Raymond Yocupicio, a Border Patrol Agent-Intelligence of the United States Border Patrol, being duly sworn, declare and state as follows:

**INTRODUCTION AND BACKGROUND OF AFFIANT**

1. I am an investigative or law enforcement officer of the United States within the meaning of 18 U.S.C. § 2510(7), who is empowered by law to conduct investigations of, and to make arrests for, offenses enumerated in 18 U.S.C. § 2516. I am a Border Patrol Agent-Intelligence (BPA-I) with the United States Border Patrol assigned to the Tucson Sector Intelligence Unit (TCA SIU) at the Brian A. Terry Station in Bisbee, Arizona. I have been an agent with the United States Border Patrol since August 2011. I completed the United States Border Patrol Academy, where I received instruction in constitutional law, immigration law, criminal law, and federal and civil statutes. I have also received instruction in the detection, interdiction and arrest of narcotics smugglers, alien smugglers, and individuals illegally present in the United States. As a Border Patrol Agent (BPA), I have received instruction in interviewing, interrogation, and formal training in evidence collection.

2. During my law enforcement career, I have received formal training, as well as on- the-job training, related to the investigation and interdiction of human smuggling and human trafficking. I have become knowledgeable regarding the trafficking methods employed by alien smugglers to conceal, transport, resupply, and harbor aliens present in the United States without admission or parole, as well as the use of different technologies used by criminal organizations to communicate and facilitate the movement of aliens into and throughout the United States.

3. In preparing this Affidavit, I conferred with other law enforcement officials, who share the opinions and conclusions stated herein. I have personal knowledge of the following facts or have learned them from other law enforcement officers. I also relied on my training, experience, and background in law enforcement to evaluate this information. Since this Affidavit is being submitted for the limited purpose of establishing probable

cause for a complaint, I have not included each and every fact or source of information establishing the violation of federal law.

#### **PROBABLE CAUSE**

4. Beginning in March 2024 and continuing to present, TCA/SIU has been investigating a residence located at 932 American Avenue, Bisbee, Arizona 85603 as a possible stash house for undocumented noncitizens (UNCs) as they awaited transportation further into the United States, including but not limited to Phoenix. Throughout this time frame, TCA/SIU has interdicted multiple vehicles that had picked up UNCs at the 932 American Avenue address.

5. On August 19, 2024, at approximately 6:30 p.m., Agents were performing highpoint surveillance duties on 932 American Avenue in Bisbee, Arizona. At approximately 7:00 p.m., Agents observed Thomas Cain ALVAREZ arrive at 932 American Avenue in a dark green 1994 Toyota Land Cruiser (Land Cruiser) bearing Arizona license plate 9ZA8RW. ALVAREZ is currently living at 932 American Avenue. ALVAREZ was observed exiting the Land Cruiser, along with suspected UNCs. ALVAREZ appeared to be escorting the UNCs to the rear of his residence. This exact behavior—where ALVAREZ would leave his residence and return a short time after with suspected UNCs—was repeated on multiple instances throughout the evening.

6. On August 20, 2024, at approximately 6:40 a.m., the Honorable Judge Alison S. Bachus, U.S. Magistrate Judge for the District of Arizona, authorized a federal search warrant (24-6248MB) for 932 American Avenue.

7. On August 20, 2024, at approximately 7:45 a.m., Border Patrol Tactical Response Team (BORTAC), along with Border Patrol Agents (BPAs) arrived at 932 American Avenue. BORTAC utilized an intercom speaker and instructed anyone in the residence to come out before making entry. Verbal commands were given in the English and Spanish language. Three subjects, later identified as ALVAREZ, Gregory Jerold RHINEHART, and Sarah Maley exited 932 American Avenue.

8. After securing ALVAREZ, RHINEHART, and Maley, BORTAC made entry into 932 American Avenue and did not locate any additional subjects within the residence. During the search, BPAs observed fresh foot signs and a matted down trail leading from the rear of 932 American Avenue to an abandoned residence next door at 933 American Avenue, Bisbee, Arizona 85603. After following the foot signs to the side door of 933 American Avenue, BPAs saw the door was cracked open. BPAs knocked on the door and a subject proceeded to open the door. Agents identified themselves as BPAs. At this point, multiple subjects were observed approaching the door and BPAs proceeded to conduct an immigration inspection on everyone inside of 933 American Avenue. BPAs ultimately apprehended seven people—later identified as Pedro Said Hernandez-Hernandez, Luis Eduardo Can-Chulim, Luis Felipe Paulino-Reyes, Jaime Gomez-Silva, Kevin Lopez-Quiroz, Adalberto Reyes Mejia-Medina, and Emily Danae Sanchez-Landa from inside 933 American Avenue. BPAs determined that all seven of these subjects were citizens of Mexico without any documentation that would allow them to be in the United States legally.

9. BPAs then arrested all 10 subjects—ALVAREZ, RHINEHART, Maley, and the seven UNC—s—and transported them to the Brian A. Terry Border Patrol Station in Bisbee, Arizona for further processing.

10. At approximately 10:43 a.m., BPAs conducted a video-recorded interview with ALVAREZ. After BPAs read ALVAREZ his *Miranda* rights, ALVAREZ agreed to waive those rights and speak to law enforcement without an attorney present. ALVAREZ also provided written consent for BPAs to search his cell phone.

11. During his interview, ALVAREZ told BPAs that he had been working for Eads Concrete but was fired last month. He confirmed he had been living at 932 American Avenue for approximately one year and that his sister, Sarah Maley lives with him and his friend, RHINEHART, stays with them a few times a week. When BPAs asked ALVAREZ what got him involved in the smuggling of UNC—s, ALVAREZ became emotional and stated it was a money thing. ALVAREZ told the BPAs that an individual named “Cubano” was

the one who got him involved with smuggling. When asked who “Cubano” was, ALVAREZ stated it was Jesus Calvo. Calvo was recently convicted in the United States District Court, District of Arizona (Tucson) for violating 8 U.S.C. § 1324(a)(1)(A)(ii) (Transportation of Illegal Aliens for Profit) and sentenced to four years of probation (CR-23-01842-TUC-RM). ALVAREZ told BPAs that Calvo had asked him if he wanted to make money holding people and that he had been working for Calvo for approximately one month. When asked how much money he was being paid, ALVAREZ ended the interview.

12. During a search of ALVAREZ’s cellular phone, BPAs found videos taken on August 19, 2024, that depicted ALVAREZ in the Land Cruiser picking up UNC’s from the brush. The time stamps of the videos matched up with BPAs observations of ALVAREZ’s travel from and to 932 American Avenue on August 19, 2024.

13. At the Border Patrol Station, BPAs also conducted interviews with the seven UNC’s found in the abandoned home at 933 American Avenue. These interviews included interviews of Pedro Said Hernandez-Hernandez, Jaime Gomez-Silva, and Kevin Lopez-Quiroz.

14. During the interview of Lopez-Quiroz, he admitted to being a citizen of Mexico without any documentation that would allow him to be in the United States legally. Lopez-Quiroz told the BPAs that he crossed into the United States illegally on August 19, 2024, and that his final destination was North Carolina. Lopez-Quiroz stated that he made his smuggling arrangements with an individual named “El Padrino” in Naco, Sonora, Mexico, and that Lopez-Quiroz was going to pay 200,000 Mexican pesos to be smuggled into the United States. Lopez-Quiroz explained that after crossing into the United States, he walked for approximately two hours before reaching the pickup location provided to him on his cellphone. He stated that a green SUV picked him up from the side of the road and took him to a residence. The driver and Lopez-Quiroz then went into the residence, where Lopez-Quiroz stated another migrant was sitting on the couch. The driver of the green SUV then took both Lopez-Quiroz and the other migrant to the red house next door, identified as 933 American Avenue. According to Lopez-Quiroz, the driver told them in

Spanish to stay inside of the house. Later than evening, the driver returned and brought them pizza and sodas.

15. BPAs presented Lopez-Quiroz with a six-pack photographic lineup and asked him to identify anyone he recognized and explain how he knew them. Lopez-Quiroz identified a photo of ALVAREZ as being the man who picked Lopez-Quiroz up in the green SUV and who took him to the red house at 933 American Avenue.

16. During the interview of Gomez-Silva, he admitted that he was a citizen of Mexico and that he had no documentation that would allow him to be in the United States legally. Gomez-Silva explained to the BPAs that he made his smuggling arrangements with individuals known as “Usvaldo” and “Padrino,” and that Gomez-Silva was going to pay 180,000 Mexican pesos to reach his final destination of North Carolina. Gomez-Silva stated that he paid 30,000 Mexican pesos to cross the border, and that he crossed at approximately 3:00 p.m. on August 19, 2024. Gomez-Silva stated that after crossing the border, he received directions via cell phone to a road where he met the car that was to pick him up. After getting into the car, Gomez-Silva said he was driven to a blue house. Gomez-Silva stated he was in the blue house for approximately one to two hours before a man took him over to a red house and left him there.

17. BPAs presented Gomez-Silva with a six-pack photographic lineup and asked him to identify anyone he recognized and explain how he knew them. Gomez-Silva identified a photo of RHINEHART as being the man who led him to the red house.

18. During the interview of Hernandez-Hernandez, he admitted that he was a citizen of Mexico and that he had no documentation that would allow him to be in the United States legally. Hernandez-Hernandez explained to BPAs that he made arrangements to be smuggled to his final destination of Chicago, Illinois for 200,000 Mexican pesos and that he paid a mafia fee of 100,000 Mexican pesos prior to crossing the border. Hernandez-Hernandez stated he arrived in Naco, Sonora, Mexico on August 18, 2024, and crossed into the United States at approximately 1:00 p.m. on August 19, 2024. After crossing the border, Hernandez-Hernandez stated he was guided via cell phone to an unknown road where he,

and his uncle who was with him, were picked up by a green or brown SUV driven by a tall, heavy-set, white man. Hernandez-Hernandez stated that he and his uncle were then driven to a white house. After 10 minutes at the white house, a different man from the one who picked up Hernandez-Hernandez and his uncle took them to a red house next door to the white house. Other migrants were already inside the red house when Hernandez-Hernandez arrived.

19. BPAs presented Hernandez-Hernandez with a six-pack photographic lineup and asked him to identify anyone he recognized and explain how he knew them. Hernandez-Hernandez identified a photo of ALVAREZ as being the man who picked his uncle and him up on the road and drove them to the white house.

20. BPAs then presented Hernandez-Hernandez a separate six-pack photographic lineup and once again asked him to identify anyone he recognized and explain how he knew them. Hernandez-Hernandez positively identified a photo of RHINEHART as being the man that move his uncle and him from the white house into the red house.

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21. Based on the facts and circumstances stated in this Affidavit, I submit there is probable cause to believe that, beginning on an unknown date and continuing through on or about August 20, 2024, in the District of Arizona, the defendants, Thomas Cain Alvarez and Gregory Jerold Rhinehart, did knowingly and willfully combine, conspire, confederate, and agree with persons known and unknown, to conceal, harbor, and shield from detection aliens who had come to, entered, and remained in the United States in violation of law, in any place, including any building and by means of transportation, in violation of Title 8, United States Code, Sections 1324(a)(1)(A)(iii), (a)(1)(A)(v)(I), and (a)(1)(B)(i).

RAYMOND A  
YOCUPICIO III

Digitally signed by RAYMOND A  
YOCUPICIO III  
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Raymond Yocupicio  
Border Patrol Agent – Intelligence  
United States Border Patrol

Sworn to before me and subscribed telephonically on this 21st of August, 2024.



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HONORABLE ALISON S. BACHUS  
United States Magistrate Judge